

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

**IN RE: VALSARTAN, LOSARTAN,
and IRBESARTAN PRODUCTS
LIABILITY LITIGATION**

CIVIL ACTION NUMBER:

1 : 19-md-02875-RMB-SAK

Status Conference

via Teams videoconferencing

Mitchell H. Cohen Building & U.S. Courthouse
4th and Cooper Streets
Camden, New Jersey 08101
Monday, January 13, 2025
Commencing at 11:00 a.m.

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SPECIAL MASTER

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25 Proceedings recorded by mechanical stenography; transcript produced by computer-aided transcription.

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(Appearances continued onto next page)

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(Appearances continued onto next page.)

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14 **Also present:**

15 Larry MacStravic, The Courtroom Deputy

16 Clarissa Lintner, Esquire, Judicial Law Clerk to the Honorable
17 Renée Marie Bumb, Chief Judge

18 Rosemarie Bogdan, Esquire

19 Corey Weinstein, Esquire

20 Sara Zeimer, Esquire

21 Palmer Lambert, Esquire, on behalf of the Dufrene case

22 Matt Morrison, Esquire, on behalf of the Suits case

23 Madeline Pendley, Esquire, on behalf of the Smalls case

24

25

1 (PROCEEDINGS held via Teams videoconferencing before
2 the Honorable Thomas I. Vanaskie (Ret.), Special Master, at
3 11:00 a.m. as follows:)

4 THE COURT: All right. I think we'll get started.
5 This is Tom Vanaskie. I'm having problems with my camera. But
6 can you all hear me?

7 MS. LOCKARD: Yes.

8 THE COURT REPORTER: Yes, Your Honor.

9 THE COURT: We'll get started, then. We scheduled a
10 conference call. I'm sorry about all the confusion over
11 scheduling, but I had a memorial service to go to down in
12 Carlisle, Pennsylvania on Friday for a colleague of mine,
13 Sylvia Rambo, who recently passed. But I do have your agenda
14 letters, and I greatly appreciate receiving them. And we'll
15 talk a little bit about resumption of regularly scheduled
16 conferences and including Judge Bumb in those conferences or
17 having her preside, as Judge Kugler did previously.

18 But why don't we get started, then. We'll go through
19 the agenda letters. And the first thing we need to address, I
20 believe, is the Wave 2 -- what we call the "Wave 2" bellwether
21 trials. We've already gone through a couple of iterations of
22 Wave 2 lists -- the latest list having been issued I think on
23 December 31st.

24 So I need to understand if Lexecon issues arise with
25 respect to those cases and see if we can't get them resolved,

1 or if we can't get them resolved, look to selection of
2 replacement cases for trial.

3 Now, who will be addressing this issue on behalf of
4 the plaintiffs?

5 MR. NIGH: Your Honor, Daniel Nigh.

6 THE COURT: All right. And who will be addressing
7 this for the defense?

8 MS. LOCKARD: Your Honor, this is Victoria Lockard.
9 I'm happy to speak up with respect to the Wave 2 generally. I
10 think the wholesalers and pharmacy have separate issues --

11 THE COURT: Yes.

12 MS. LOCKARD: -- and they can take those.

13 THE COURT: Okay. Very well.

14 Well, let's start with you, Daniel. What is
15 plaintiffs' position with respect to the Wave 2 cases?

16 MR. NIGH: Yes, Your Honor.

17 First I wanted to address, there was an argument that
18 somehow plaintiffs' attorneys waive *Lexecon*, which I think is
19 somewhat of an absurd argument. I looked back at -- if you'll
20 recall what occurred at the last hearing -- can you hear me?

21 THE COURT: Yes, I can.

22 (Teams recording: "Is now joining.")

23 MR. NIGH: Okay. I heard some other noise.

24 What occurred at the last hearing, we were just
25 trying to figure out what the five cases were, and we

1 recognized that we needed to replace three cases and put three
2 other cases on there.

3 I looked back at our position statement. There's not
4 a single thing in our position statement that mentions
5 plaintiffs waiving *Lexecon*.

6 I also recognize that even wholesalers and pharmacies
7 in that same position statement -- in their position statements
8 don't have a statement as to whether or not they're going to
9 waive *Lexecon*. So this idea that somehow being absent or not
10 speaking to the issue on *Lexecon* somehow amounts to a waiver, I
11 think, is absurd.

12 There's also, you know, we -- with *Lexecon*, really a
13 waiver needs to be in writing, which is what we ultimately
14 intend to do on each of these cases as well, on the cases that
15 are going to waive *Lexecon*.

16 So if I can just go case by case, though.

17 THE COURT: That would be great.

18 MR. NIGH: First off, we've got the Dufrene case, and
19 Mr. Palmer is here on behalf of the Dufrene case, Palmer
20 Lambert on behalf of the Dufrene case. But his client does not
21 wish to waive *Lexecon*. This is the case where the defendants
22 also have a pharmacy that doesn't want to waive *Lexecon* as
23 well, but I don't think that that's going to be an issue
24 because the plaintiff doesn't want to waive *Lexecon* and,
25 therefore, we wouldn't have that case be able to be tried in

1 front of -- in New Jersey.

2 So the next thing is the Suits case. The Suits case,
3 we don't believe there is a *Lexecon* issue. It was filed in New
4 Jersey. They selected the New Jersey venue. Therefore, we
5 don't believe there's a *Lexecon* issue.

6 We recognize that the wholesalers have made an
7 argument that they believe there's a *Lexecon* issue. We don't
8 think that's true. But we did just only recently get the
9 position, so we're having the discussion with the plaintiff to
10 see whether or not the plaintiff does want to dismiss the
11 wholesalers and, therefore, not have an issue over this. And
12 we don't have a response to that yet, but hopefully we can have
13 that response soon.

14 One thing I will say is -- sorry. Go ahead, Your
15 Honor.

16 THE COURT: Who is plaintiff's counsel in Suits?

17 MR. NIGH: Matt Morrison. And he's here as well,
18 Your Honor.

19 MR. MORRISON: Matt Morrison, Your Honor.

20 And, Daniel, I sent you an email right before the
21 hearing. I was able to speak to my client and the plaintiffs,
22 and James Suits will dismiss the wholesaler defendants.

23 MR. NIGH: Okay. Great. So we don't have an issue
24 with James Suits, then, on the plaintiff's side. We don't
25 believe there's any issue for this case to be able to go

1 forward in New Jersey.

2 THE COURT: All right.

3 MR. NIGH: On Garcia, Your Honor, I represent Garcia,
4 and Garcia will be waiving *Lexecon* and dismissing the pharmacy.
5 And we will go ahead and make those positions in writing as
6 well, so we don't believe there's any issue in Garcia.

7 On Meeks and Smalls, there's not a decision yet from
8 the plaintiff on whether or not to -- whether or not to waive
9 *Lexecon* and/or the issue on -- Meeks doesn't have a pharmacy or
10 wholesaler, but Smalls does, and there's not a decision yet on
11 whether or not to dismiss the pharmacy.

12 Your Honor, we ask for an order to be placed by
13 Friday that plaintiffs need to put in writing their positions
14 as to whether or not they're going to waive *Lexecon*. And if
15 there is a pharmacy or wholesaler, to put in writing that
16 whether or not they're going to dismiss the pharmacy or
17 wholesaler.

18 THE COURT: That's for the Meeks and Smalls cases?

19 MR. NIGH: And I think we should do it for all of
20 them, frankly.

21 THE COURT: Okay.

22 MR. NIGH: You know, because as of right now, we're
23 just -- we're talking on the record, but I think that any
24 *Lexecon* waiver and also dismissal should also be put in
25 writing.

1 THE COURT: Do we have anybody on the call who
2 represents Meeks or Smalls?

3 MR. NIGH: That would be Madeline Pendley, Your
4 Honor.

5 MS. PENDLEY: Yes, Your Honor, I'm here.

6 And to add a little bit of information for Smalls, we
7 agree that the pharmacy should be dismissed, so I don't
8 anticipate it being a problem. I just have to get permission
9 from my client. I have a call set today, so hopefully we'll
10 get that rounded out in the next 24 hours.

11 THE COURT: Okay.

12 And, Daniel, can you submit to me a proposed order
13 that requires parties taking positions on *Lexecon* by Friday of
14 this week, individual plaintiffs and the individual defendants?

15 MR. NIGH: Yes, Your Honor.

16 MS. LOCKARD: Your Honor, I think also the Gaston
17 Roberts case, I don't think there's a written waiver in that
18 case either. That's the Wave 1 case with ZHP.

19 THE COURT: All right.

20 MS. LOCKARD: So I would just suggest that if we're
21 including the five cases from the last pick, that we also
22 include Gaston Roberts in that order.

23 THE COURT: Yes, I agree.

24 MR. NIGH: And, Your Honor, just to be clear, I had
25 said on the record before that we waive *Lexecon* on Gaston

1 Roberts. That's my client.

2 THE COURT: Right.

3 MR. NIGH: But we'll also put it in writing.

4 THE COURT: Put it in writing. Okay. Very well.

5 Thank you, Daniel.

6 MR. LAMBERT: Your Honor, this is Palmer Lambert. I
7 just wanted to add one thing to Mr. Nigh's statement in the
8 Dufrene case. Ms. Dufrene is now deceased, so we will be
9 filing a motion to substitute as well as a notice of suggestion
10 of death as well.

11 THE COURT: Okay.

12 MS. BRANCATO: Your Honor, this is Alexia Brancato on
13 behalf of the Torrent defendants. One issue we put in the
14 letter that I think might be prudent to deal with now since we
15 have to submit this letter by Friday, currently Torrent is
16 named as a defendant in the Garcia case for valsartan. But her
17 plaintiff fact sheet does not list any valsartan prescriptions,
18 and so we believe we should be dismissed from that case and,
19 therefore, shouldn't have to say anything on Friday about
20 Lexecon for valsartan in Garcia.

21 We've been raising this with plaintiffs, but would
22 need a response from them before the submission on Friday.

23 THE COURT: All right. Daniel?

24 MR. NIGH: Your Honor, I'll give them, at the latest,
25 tomorrow, probably today a decision on whether or not we are

1 dismissing that Torrent party. It seems like we are, but I
2 just wanted to make sure we did our due diligence and turned
3 over every stone on that one.

4 THE COURT: Okay. Very well.

5 MS. BRANCATO: Thank you.

6 THE COURT: Anything else with respect to the *Lexecon*
7 issues in the Wave 2 and we'll say Wave 1 cases?

8 MR. MORRISON: Your Honor, this is Matt Morrison on
9 behalf of James Suits. Like Palmer, my client is deceased, and
10 we will be shortly filing a motion to substitute in that case
11 as well.

12 THE COURT: All right. Very well. Thank you,
13 Mr. Morrison.

14 Anything else?

15 (No response.)

16 THE COURT: All right. Let's move on to the next
17 issue, which is Teva, the Israeli parent of Teva being a party
18 in the Wave 2 cases.

19 Teva's parent, which is Teva Pharmaceutical
20 Industries, LTD, is contesting personal jurisdiction, as I
21 understand it. What is the plaintiffs' position with respect
22 to that?

23 Are you in a position, Daniel, to address that?

24 MR. NIGH: Your Honor, I'm not the person who
25 addressed the Teva personal jurisdiction previously. My

1 understanding is we had an agreement in the economic case where
2 we dismissed Teva, the foreign entity. But I don't know if
3 there's any reason as to why we wouldn't do the same thing
4 here.

5 If we can also have, I think, just a week on that
6 one, and then we'll make a decision as well.

7 THE COURT: All right.

8 MS. LOCKARD: Yes.

9 And just for background, Your Honor, we had filed a
10 motion on the personal jurisdiction issue as to the Teva
11 Pharmaceutical Industries, Limited in the TPP case.

12 Plaintiffs responded, and I think we worked out a
13 dismissal stipulation. So, you know, we take the same position
14 in these bellwether cases involving the ZHP line of product.

15 And I just need to know, if it's not Mr. Nigh, who do
16 I need to negotiate with on this? Is it the individual
17 plaintiffs in each of the bellwether cases, or is there a
18 spokesperson on the plaintiffs' exec committee? I just -- I'd
19 like to get this, you know, underway, and I'm not exactly sure
20 whom I should be speaking with.

21 So it's fine, the proposal, let us know something by
22 the end of Friday. But if Mr. Nigh and plaintiffs can let me
23 know who we need to address this with, whether it's individual
24 plaintiff counsel or somebody on their side, that would be much
25 appreciated.

1 THE COURT: All right. We should know by Friday,
2 Daniel?

3 MR. NIGH: We should, yes.

4 THE COURT: There's been a request for resumption of
5 regularly scheduled case management conferences with Judge Bumb
6 present and presiding.

7 I will contact Judge Bumb after our call today and
8 get her views with respect to that. I agree we should have
9 regularly scheduled calls, at least from a case management
10 perspective. And I'm happy to conduct those calls at least
11 once a month, if not more frequently, but we could do that. I
12 propose that we schedule the calls for on Tuesdays. That
13 should avoid most holidays. And the schedule I like,
14 11:00 a.m. eastern time. I don't know if that time is
15 inconvenient for everyone else. But you certainly can weigh in
16 by sending me an email or a letter with respect to your
17 position.

18 But what I'd propose is that at least -- we had it
19 previously scheduled once a month, every four weeks probably,
20 where we had a discovery conference and then we had in the
21 interim every two weeks a conference where you could address
22 deficiencies in plaintiffs' fact sheets, things of that nature,
23 seek dismissal of individual cases, et cetera.

24 Do you want to go back to -- now, this is probably
25 hard to answer now, but I'd propose going back to what we used

1 to have where we had two conferences a month, one to address
2 discovery issues -- and hopefully there won't be any, so that
3 will make that easy -- and one to address other issues,
4 including requests for dismissal, show-cause orders on the
5 plaintiffs' fact sheets, et cetera.

6 I don't -- you don't need to respond right now, but
7 I'd ask you to respond to me by this Friday with your position
8 concerning going back to the schedule we had before.

9 All right.

10 MS. KAPKE: Your Honor, on that issue, going back to
11 the schedule we had before, Judge Kugler required that we have
12 these orders-to-show conferences in person. And I think the
13 Teams or Zoom has worked very well. So particularly if the
14 only thing we're doing is orders to show cause, I would really
15 appreciate it if we all didn't have to travel to New Jersey,
16 especially in the middle of winter.

17 THE COURT: I understand that. And I wasn't thinking
18 in terms of what Judge Kugler had required. I understand the
19 purpose of in-person conferences.

20 MS. KAPKE: I do, too.

21 THE COURT: And they serve a valuable purpose. But I
22 think we would limit it to Teams conferences unless otherwise
23 ordered.

24 MS. KAPKE: Thank you, Your Honor.

25 THE COURT: So the default would be Teams, all right?

1 Now, do I need to issue an order? Or I'll ask you to
2 submit to me a proposed order that requires updated contact
3 information for all plaintiffs' counsel. That has been an
4 issue in terms of being able to communicate with individual
5 plaintiffs' counsel, especially with respect to those who have
6 been identified -- those cases that have been identified for
7 bellwether trials. But I'd ask you to submit to me a proposed
8 order that requires all plaintiffs to submit updated contact
9 information.

10 I don't think we need to do revised notices of
11 appearance. But if you could submit to me and I could submit
12 to the Court through Larry MacStravic that information to
13 update the docket sheets so that we have current contact
14 information for all plaintiffs.

15 MS. LOCKARD: So just --

16 THE COURT: I don't know that -- go ahead, Victoria.

17 MS. LOCKARD: Just to clarify. So you would like the
18 parties to submit a proposed order ordering the plaintiffs in
19 the 20-something bellwether cases to provide updated contact
20 information to you?

21 THE COURT: Yes.

22 MS. LOCKARD: And would you like the updated contact
23 information to come via letter or how would you like to receive
24 that from individual plaintiffs?

25 THE COURT: I think via -- that's a good question. I

1 think via letter. The letter can be emailed to me, but it's
2 something that I could then submit to the Clerk of Court for
3 docketing so it gets on the official court record.

4 MR. NIGH: And, Your Honor, we're prepared to be able
5 to get the updated contact info for all of those cases for
6 plaintiffs' counsel that were selected for bellwether cases
7 within a week.

8 THE COURT: Okay.

9 MR. NIGH: I would just ask for all plaintiffs'
10 counsel, if we could have a month for that.

11 THE COURT: Yes.

12 MR. NIGH: Because certain communication, just trying
13 to get plaintiffs' counsel included can take a little bit
14 longer for some law firms.

15 THE COURT: Sure. A month would be fine for all; a
16 week for the bellwether cases.

17 MR. NIGH: Thank you, Your Honor.

18 THE COURT: And cases selected for bellwether
19 treatment.

20 Now, you're working on an order dealing with personal
21 health information to protect the confidentiality of that
22 information, I take it, for the Wave 2 cases?

23 I'm drawing blank stares, so...

24 MS. WHITELEY: Yes, Your Honor.

25 MS. KAPKE: Your Honor, yes. Conlee piped up.

1 That's not for Wave 2 cases.

2 THE COURT: Okay.

3 MS. KAPKE: That's for a certain settlement, and --

4 THE COURT: The Vivimed settlement?

5 MS. KAPKE: Yes, the Vivimed settlement.

6 So the pharmacies will produce their data in
7 unredacted form. We just need a confidentiality order because
8 we are producing protected health information. So we've done
9 this before for other prior settlements. We just heard from
10 plaintiffs' counsel very recently, so we couldn't include it in
11 the agenda letters, but I think we could probably get that over
12 to you, if you'd prefer, by email or we could file it on the
13 docket, whatever is convenient for you.

14 THE COURT: By email to me, and then we'll get the
15 order issued and it will appear on the docket.

16 MS. KAPKE: Thanks.

17 THE COURT: All right. Thank you.

18 MS. KAPKE: I think we'll get that this week over to
19 you. Thanks, Your Honor.

20 THE COURT: All right. Thank you.

21 MS. WHITELEY: Thank you, Your Honor.

22 THE COURT: Where do things stand with respect to
23 your discussions concerning the defendants in the Dufrene case,
24 which is under Louisiana law, and the Smalls and Garcia cases,
25 which are under South Carolina and Texas law?

1 MR. NIGH: Your Honor, Dufrene is not going to waive
2 *Lexecon*. So at least for the issues on who is going to be in
3 the Wave 2, we haven't addressed the issue on the pharmacy
4 because they're not going to waive *Lexecon*. So I don't think
5 we get to that next issue.

6 THE COURT: Okay.

7 MR. NIGH: And on Garcia, that's my case. I
8 represent Garcia, and we're going to be waiving *Lexecon* and
9 dismissing the pharmacy.

10 THE COURT: Okay. And --

11 MR. NIGH: And then what was the third case? I
12 apologize.

13 THE COURT: The Suits case.

14 I'm sorry, no. It was Smalls and Garcia.

15 MR. NIGH: Smalls. Okay. So we don't have a
16 decision yet on *Lexecon* or whether to dismiss the pharmacy on
17 that case.

18 We may not have an issue. We may not have to get
19 into the state-specific law on those.

20 THE COURT: Okay. All right.

21 Anything else with respect to the Wave 2?

22 MR. NIGH: Nothing else from plaintiffs, Your Honor.

23 THE COURT: All right. Anything else from the
24 defense?

25 MS. LOCKARD: Your Honor, just I suppose it makes

1 sense to get through the Friday deadline before we discuss how
2 to go about any replacement cases that need to be added to
3 Wave 2.

4 THE COURT: Right.

5 MS. LOCKARD: Yeah. But after that --

6 THE COURT: I know the defense position is that you
7 should be able to select the replacement cases now.

8 MS. LOCKARD: Right.

9 I mean, frankly, you know, I don't want to belabor
10 it. I think that the tone of our email makes clear we felt
11 there was a little bit of gamesmanship going on here. There's
12 no point in arguing about it, but I think that, you know, to
13 have plaintiffs selectively, you know, refuse to waive on cases
14 that they've previously listed as being suitable, particularly
15 when they're defense-favorable cases, I think we should have an
16 opportunity to pick one of our own.

17 But, like I say, maybe this is something we can take
18 up after Friday.

19 THE COURT: Let's take it up after Friday, and it
20 will be on the agenda for our next conference call.

21 MR. NIGH: Your Honor.

22 THE COURT: Go ahead, Daniel.

23 MR. NIGH: If I may respond briefly, and I'll address
24 it further on Friday, but it's very clear in everything that
25 we've submitted, there's nothing in there that ever states that

1 plaintiffs had ever waived *Lexecon*. And this idea of
2 gamesmanship, which -- right now what we have seen is out of
3 the 28 cases that we had in our pool, the vast majority of
4 them, the reason we can't try the case is because one or more
5 of the defendants have not waived *Lexecon*.

6 Plaintiffs are going so far to try to get cases that
7 can be tried to even dismiss pharmacies and wholesalers which
8 we believe we have plausible claims against. So this idea of
9 gamesmanship we think is absurd.

10 We never requested -- I guess we could have, under
11 the same requests the defense are making, we could have
12 requested that plaintiffs get to pick and we would have been
13 able to pick the entire pool because it was the defendants who
14 first refused to waive *Lexecon* on many cases. So we just think
15 that that's -- you know, to the extent that there are one or
16 two cases where plaintiffs are not waiving *Lexecon*, we think
17 that's an absurd position.

18 THE COURT: All right. We're going to kick that can
19 down the road a little bit. We'll wait to see what we get on
20 Friday or by Friday. And then we can address this at our next
21 conference call.

22 And perhaps we should talk about scheduling that next
23 conference call. And I'd like to -- I'm concerned that we're
24 getting bogged down here and want desperately to keep it
25 moving. And so what I'd like to propose is that -- let me look

1 at my calendar. But we have a call on -- and I might have to
2 change this already since I have to be in Pittsburgh on the
3 28th, but Wednesday, January 29th, all right.

4 And so we'll issue an order that schedules a
5 conference call. I'm not sure if it's a case management
6 conference or a status conference, but it's a conference
7 intended to have dialogue to address pending issues and to keep
8 the matter moving and to give you an opportunity to submit to
9 me proposed agenda letters. And so we'll have that on the
10 29th.

11 Where do things stand with respect to the proposed
12 stipulation of material safety data sheets?

13 MR. SLATER: Hello, Your Honor. Adam Slater for the
14 plaintiffs. How are you?

15 THE COURT: I'm well, Adam.

16 MR. SLATER: Good.

17 We are still trying to work with ZHP. I'm not sure
18 if we're going to reach an agreement or not. But we had a very
19 substantive conversation at our last meet-and-confer, which I
20 think was on the 6th. I think it was last Monday. And they
21 were going to get back to us with an effort to try to bridge
22 our gaps.

23 What I would suggest is this, Your Honor, because
24 you've now scheduled the conference for the 29th, it actually
25 works well, what I was going to suggest is that if we can't

1 reach an agreement by the 24th, which would be next Friday, on
2 this issue, and there's a few other related issues that I'm not
3 going to bring up because they may not become issues for the
4 Court. But if they are issues that we can't work through, my
5 suggestion was going to be to put them on the agenda, now that
6 Your Honor has scheduled for the 29th, for the 29th so that we
7 can bring things to a head at that point if we can't work it
8 through.

9 THE COURT: That's fine. We'll take that up on the
10 29th. Hopefully you'll have it all resolved by then. If not,
11 we'll address it and get the matter resolved so that it doesn't
12 hold this up.

13 MR. SLATER: Thank you, Your Honor.

14 THE COURT: Are there any other issues you wanted to
15 address today on the plaintiffs' part?

16 MR. SLATER: I'm not aware of anything for
17 plaintiffs, Your Honor.

18 THE COURT: All right. On the defense side?

19 MS. LOCKARD: Your Honor, the only other item on the
20 agenda letters was with respect to Wave 3. And I know we're
21 still tinkering with Wave 2, so I don't want to put the cart
22 ahead of the horse.

23 But plaintiffs' letter had suggested we meet and
24 confer among the parties on how to tackle Wave 3, and that's a
25 good suggestion. So I would propose that we try to get

1 together with plaintiffs before the last conference of the
2 month and report back at that time.

3 THE COURT: All right. Let's do it that way. I'll
4 ask you to report in your agenda letters for the
5 29th conference call where things stand with respect to your
6 discussions on selection of cases for Wave 3, all right, and
7 other issues.

8 All right. Is there anything else to address today?

9 (No response.)

10 THE COURT: Great. All right.

11 We will see you all on the 29th of January. And in
12 the meantime, I'll look forward to getting your emails
13 addressing the issues that we discussed today. Thank you all
14 very much.

15 MS. LOCKARD: Thank you, Your Honor.

16 MR. SLATER: Thank you, Your Honor.

17 MR. NIGH: Thank you, Your Honor.

18 THE COURT: We're adjourned. Bye-bye.

19 (Proceedings concluded at 11:33 a.m.)

20 -----
21 **FEDERAL OFFICIAL COURT REPORTER'S CERTIFICATE**
22 -----

22 I certify that the foregoing is a correct transcript
23 from the record of proceedings in the above-entitled matter.

24 /S/John J. Kurz, RDR-RMR-CRR-CRC

January 14, 2025

25 Court Reporter/Transcriber

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